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on Tuesdays and Fridays.

## LEGISLATURE AND SENATE.

## First Session of Hawaiian Congress

Opened with Republican Sim-  
plicity Before Vast  
Audience.

## MESSAGE OF PRESIDENT DOLE.

Annexation and Cable Commu-  
cation Advocated in Ring-  
ing Tones.

## PERSONNEL OF SENATE AND HOUSE

Permanent Officers Elected by Both  
Branches—Hon. W. C. Wilder Chosen  
President of the Senate—D. L. Naone  
Speaker of the House—Ready for  
Business Transactions This Morning.Another mile post in Hawaiian pro-  
gress has been passed. The opening  
ceremonies of the first Congress held  
under the Republic took place yester-  
day noon. The Council chamber was  
crowded to its fullest capacity to wit-HON. W. C. WILDER, PRESIDENT OF THE  
SENATE.ness the proceedings. Every available  
inch of space was utilized to make  
room for the large number of specta-  
tors.On the Waikiki side were two rows  
of seats for members of the Diplomatic  
and Consular corps, most all of whom  
were present. Alongside were seated  
Captain Cotton, of the Philadelphia,  
and staff, with Mrs. Cotton. Just be-  
hind four chairs were set apart for  
the press. To the left of the platform  
in the center of the room were the  
wives of the President and  
Justices of the Supreme Court,  
provision on that side being made for  
members of the Advisory Council,  
Cabinet officials and Justices of the  
Supreme Court. The center was oc-  
cupied by Senators and Representa-

tives elect.

As President Dole entered the room  
promptly at noon, the vast assemblage  
rose, while Rev. Alex. Mackintosh  
delivered prayer and benediction.

Without further ceremony President

Dole read his message to the joint

houses. The document is as follows:

SENATORS AND REPRESENTATIVES:

It has been deemed advisable to con-  
vene the Legislature in special session  
at this time in order that the regular  
legislative function of the Government  
might be established at an early date,  
and the temporary legislative authority  
of the Executive and Advisory  
Councils be thereby terminated; and  
also for the enactment of important  
legislation relating to public lands,  
and submarine cable communication  
between the Hawaiian Islands and  
North America.The annual reports of the heads of  
the several executive departments re-  
quired by law to be submitted to me,  
which are herewith transmitted, fur-  
nish a comprehensive view of adminis-  
trative work covering the last three  
months of the existence of the Provisional  
Government and the first six  
months of the Republic.Since the establishment of the Re-  
public of Hawaii, on the 4th day of  
July, 1894, the following powers have  
recognized the new Government in the  
order named: The United States of  
America, France, Switzerland,  
Mexico, Russia, Italy, Belgium, Gua-  
temala, England, Germany, Japan,  
The Netherlands, Chile, Peru, Brazil,  
China, Sweden and Norway, Austria,  
Spain, Portugal and Denmark.Our relations with these govern-  
ments are of the most friendly charac-

ter.

The internal affairs of the country  
have, with the exception of the in-  
surrection of January last, been in an  
orderly and prosperous condition. The  
insurrection was suppressed without  
serious difficulty, the outlay incident  
thereto, with the expenses of the mili-  
tary court following the outbreak,  
amounting in the aggregate to some-  
thing over \$80,000, being paid out of  
current funds.

The state of public health has been

normal.

While the annexation of this coun-

try to the United States of America

has not yet been accomplished, it still  
remains the policy of the Government.  
Its consummation will be earnestly  
sought, with an abiding faith that  
such a result will be of great and  
lasting benefits to our people.In view of the fact that a large part  
of our permanent population is in a  
measure prejudiced, both in its material  
prospects and in its chances of  
enjoying the comforts and beneficial  
influences of domestic life for want of  
homes, and land for cultivation under  
secure title; and also in view of the  
evident need of the country for a class  
of small land-holders, owning and  
cultivating their respective holdings,  
as a basis of national prosperity and a  
desirable factor in our political  
growth, I commend to your considera-  
tion a liberal policy in the adminis-  
tration of the public lands, whereby  
industrious persons with small means  
may have special opportunities of ac-  
quiring permanent holdings, and the  
disposition of large tracts of land for  
sale or for lease on long terms, shall  
be discouraged.The Crown lands, being now at the  
disposal of the Government, it is the  
part of wisdom as well as of patriotism  
to make provision in the legislation  
necessary to their proper manage-  
ment, for convenient facilities for the  
settlement thereon, as well as on the  
original Government lands, of indus-  
trious persons.Such legislation may well fix resi-  
dence on or improvement of lands, or  
both, as a condition of title. And in-  
asmuch as many of our population are  
not skilled in the accumulation and  
retention of property, a provision  
where those desiring to do so should  
have an opportunity of acquiring in-  
alienable homesteads would doubtless  
be of great value to them as well as to  
the state.For want of a land policy hereto-  
fore, carried out in legislation favor-  
ing such a settlement of the public  
domain, the difficulties of acquiring  
small holdings have been almost pro-  
hibitive to persons of small means.  
The Homestead Law of 1884 made a be-  
ginning and has furnished valuable  
experience, but it is inadequate to the  
work which is now demanded from  
social, material and political stand-  
points. The following figures are ex-  
pressive of the state of land matters in  
the past, and are significant rather of  
the want of facilities in obtaining  
Government land especially out of  
Honolulu, than of want of a demand  
therefor. During the year ending  
July 4th, 1894, there were thirty-eight  
Government land sales, aggregating  
\$20,590.15, of which thirty were lands  
in Honolulu and vicinity, aggregating  
\$18,061, and only eight were of land in  
all the rest of the islands outside of  
Honolulu, and aggregating \$2,529.15.  
During the past year, from July 4th,  
1894, to the present time, there have  
been twenty-one Government land  
sales, aggregating \$14,260.95, of which  
fifteen were sales of lands in Honolulu  
and vicinity, aggregating \$11,058, and  
only six of lands in other parts of the  
islands, aggregating \$3,202.95. Of the  
fourteen lands out of Honolulu sold by  
the Government during the last two  
years, eight were under one hundred  
acres each.A bill elaborating such a land policy  
as outlined above will be submitted  
to you by the Minister of the Interior.The foregoing recommendation in  
regard to the public lands is suggest-  
ed, not only in relation to residents,  
but also as an inducement to the im-  
migration of a desirable class of set-  
tlers from America and other coun-  
tries, the importance of which is fully  
treated in the report of the Labor  
Commission on the coffee industry to  
the Executive and Advisory Councils.The subject of immigration has had  
the earnest and continuous considera-  
tion of the Government.Asiatic immigration to Hawaii is  
mainly of a transitory character, ex-  
perience showing that it cannot be re-  
lied upon for permanent population.  
It must, therefore, be looked upon as  
largely in the nature of a temporary  
supply of the demand for agricultural  
labor.It is greatly to be desired that, while  
the current and necessary demand  
should be met, the securing of a per-  
manent addition to the population,  
which will in time obviate the neces-  
sity of constantly importing new  
laborers, should also be kept in view.With this object a renewal of Portu-  
guese immigration has been inaugu-  
rated by the Government, and one  
shipment of 730 persons has arrived.The Government will be unremitting  
in its endeavors to further promote  
the immigration of permanent settlers  
of a character suitable for the building  
up of our population.One of the matters to which I would  
especially direct your attention is  
cable communication with the outer  
world. Until such communication is  
secured, Hawaii must remain isolated.To do everything within our power to  
establish such communication is and  
must continue to be one of the chief  
items of Hawaiian policy until it is  
accomplished. This has been the pol-  
icy of the Government of Hawaii in the  
past, but in a passive form. We  
have been content to grant franchises  
and privileges and to promise sub-  
sidies to various private citizens, trust-  
ing to their energy and enterprise to  
meet the expenses and do the neces-  
sary preliminary work.Much time and money has been  
spent in this way, but so far without  
tangible result.The day has gone by when we should  
await the initiative of private capital  
in a matter so vital to the political  
and commercial interests of this coun-  
try. The initiative in such an enter-  
prise should be assumed by this Gov-  
ernment and the work persistently  
pressed until success is achieved.The Government has kept itself in-  
formed of the various suggestions and  
plans for establishing cable commu-  
nication across the Pacific during the  
past year, and should stand ready to  
assist to the full extent of its powers  
any enterprise having that end in  
view.

From the information in the posses-

sion of this Government, however,

while there is much evidence of  
awakened interest in the subject, on  
the part of all the countries bordering  
on the Pacific, there has not yet been  
proposed any plan which seems cer-  
tain of early execution unless some  
new force comes into the field of ac-  
tion.One of the main obstacles in the way  
of the initiation of such an enterprise  
is lack of definite knowledge of the  
character of cable needed, its cost, the  
running expenses and the probable  
revenue. All of this information can  
be more or less definitely obtained at  
comparatively small cost. The Gov-  
ernment should be empowered to pro-  
cure the same and to enter into negoti-  
ations with other governments or  
persons to secure the earliest possible  
action in this matter. You will be  
furnished with all of the information  
in the possession of the Government  
concerning this subject, and a bill will  
be submitted to you, which, if enacted  
into law, will enable the Government  
to move in the matter.The Minister of Finance will lay be-  
fore you a supplemental appropriation  
bill for expenditures, which I com-  
mend to your attention.It will be the duty of each House of  
the Legislature to elect five members  
of the Council of State, according to  
the provisions of the Constitution. I  
suggest that this duty be performed  
without unnecessary delay, as the  
termination of the functions of the  
Advisory Council make it desirable  
that the Council of State be selected  
as early as possible.











# HAWAIIAN GAZETTE

## SEMI-WEEKLY.

FRIDAY, JUNE 14, 1895

CALIFORNIA officials are keeping a watchful eye on the large number of Japanese who are getting into the State under suspicious circumstances. It is quite clear that the tendency of the West is to use strenuous measures against immigration from Eastern countries when the immigrant, through a reduction in wages, comes in contact with the Anglo-Saxon laborer.

It has been stated that the land law as drafted at present will never bring Anglo-Saxon settlers to Hawaii. If this is true, then it is the business of the members of the Legislature to so revise the bill that as a law it will accomplish the desired results. That is what the members are here for. There seems to be an idea existing among a certain class that simply because a measure emanates from the Executive it is as unalterable as the law of the Medes and Persians. Thanks to our republican institutions this is not the fact. In this instance the bill was drafted and redrafted by the Executive in order that its general outline might conform to the principles upon which the movement is founded, and that the Legislature might have something tangible to work on. As to the details of the law and its fulfillment of the conditions for which it was brought into existence, the responsibility is in the hands of the legislative department of the Government.

The request of the Evangelical Association for a special divorce law for members of Kalaupapa settlement brings up an interesting question in the laws of marriage and divorce, as viewed from a moral and physical standpoint. Doubtless the tendency of the members of the settlement is to live together in illegitimate relations, but the query immediately comes, whether it is not better to enforce the law against such relations rather than legalize the misdemeanor. Again, ought not the Government to do all in its power to prevent the bringing into the world of children, whose physical condition may not only assure a predisposition to a life of suffering and misery, but also prove a menace to the community? All children do not suffer the physical ills of their parents, yet the proportion of those who do is sufficiently large to make the problem in hand worthy of the most serious deliberation. The more complete the segregation, the more rapidly disease will be stamped out.

So COL. McLEAN's visit to Mrs. Dominis was due to curiosity pure and simple? That is what some of the newspaper writers are trying to make themselves believe. They have gazed on the colonel and decided that he is a curious individual. Perhaps it is his glasses, perhaps the curl of his mustache or perhaps the masterly manner in which he has assumed his position as commander of the military that have given this impression. Anyway some hypnotic influence has pasted "curiosity" in the newspaper brain and there is nothing in reason or common sense that can get it out. Supposing for instance Mrs. Dominis should be taken, during the absence of her physician, or that something should go wrong and it could be said that Col. McLean knew nothing of her condition except as brought to him by those in his command. What a sensational howl would go up to the effect that the colonel had been neglecting his duty, that he had no business to leave such an important charge in the hands of petty officers; that he had been sitting comfortably in his office trusting to luck that Mrs. Dominis was all right. The next thing we may expect to hear from this source of explosive influence is a request for the colonel's commission because there is a colonelless to make other officers of the ladies who may be put under military surveillance.

### THE PRESIDENT'S MESSAGE.

President Dole's message to the Legislature is a thoroughly business-like document, and, in a clear and dignified manner sets a good example for the members of the House and Senate to follow in their deliberations. There is no branching off into new and possible fields of legislation, but a careful statement of the problems that are before the country and require immediate attention. The President urges the necessity of legislation that shall bring to the country a population that shall be permanent and tend to strengthen the political and commercial interests, all of which is to be brought about by offering better inducements for small settlers, and at the same time taking active measures to regulate immigration, thus combining forces all along the line and increasing the power of selection as to what people shall become citizens of the country.

The proposition to take active measures in furthering cable communication with the countries bordering on the Pacific, is the forerunner of an aggressive policy that ought to bring about something tangible from the mass of material which has amounted to little more than a discussion of what might be done if the several nations interested were disposed to do anything. What can be done is the question that now comes up. What country will enlist its forces with Hawaii to promote the building of a Pacific cable and not follow the precedents of the past, in improving the legislative functions to talk rather than act? The time has come for action, and this Republic needs to be prepared to meet what advances may be made by nations or corporations. Although the Legislature can hardly be expected to make any definite move in the matter of appropriation, it can at least pass an enabling act which shall give the Executive power to co-operate with the United States or England and give assurance that the Republic of Hawaii stands ready to share a fair portion of the financial burden required to make cable communication a sound reality.

The President pays a fitting tribute to the body in whose hands the legislative functions of the Republic have rested during the two years just past, and very properly he reminds the legislators of today that the foundation of the policy of the reorganized Government centers in the annexation of Hawaii to the United States.

### NOT ALL QUIET IN THE EAST.

European powers, not satisfied with the conditions which they placed upon Japan in the division of territory, are now inclined to disagree among themselves as to the source from which the funds of the Chinese indemnity are to come. Russia, France and Germany are disposed to assume the entire responsibility of placing the loan, but England, although not showing its hand in the controversy, follows the usual custom and wants a share of the financial benefits. The French Minister explains the interference policy of France and Russia as necessitated in order to protect French and Russian missionaries in the East, but, notwithstanding the highly righteous purpose of their action, these countries are wonderfully anxious to scoop the reward of a money lender.

While these countries are arguing among themselves, Japan is fully occupied at home and may have an opportunity to expend a good part of its indemnity fund in subduing the Chinese republicans in Formosa and keeping the war spirit of its own people in check. The factions of irreconcilables are making their power felt, and as the Chronicle states the case, "instead of favoring peace at any price, favor war at any price until China shall have become the subject province of Japan, Korea a subject province and Russia only the owner of a narrow strip of territory along the shore of the Pacific." This discontented class is made up largely of the half-educated descendants of the former two-world bearers, who have learned just

enough to be dissatisfied with the present regime, but not enough to propose or suggest anything better. They dream of the glories of ancient Japan, but at the same time would not for worlds go back to the condition of semi-barbarism which characterized Japan half a century ago. They want modern civilization, but they want to pose as its exponents. The Emperor of Japan now, if ever, needs a Bismarck as his chief adviser, who will not hesitate to use the army to keep the people in order.

PRESIDENT CLEVELAND appears in no way disposed to hurry in making a decision as to who shall fill the vacancy in his cabinet caused by the death of Secretary Gresham. Conjecture about Washington has put Secretary Carlisle's name forward as in the line of promotion. As the monetary problem is to cut a large figure in the next campaign and Mr. Carlisle's financial ideas have not always been in keeping with those of Mr. Cleveland and his friends, it may be that this will be looked upon as a favorable opportunity to get rid of Carlisle's financiering and at the same time reward him for his submission to the ideas of the Administration for two years past. Forecasting the action of President Cleveland, however, is very uncertain business. He has a way of biding his time and carrying out his decisions in his own peculiar manner. It may be looked upon with a fair degree of certainty that no aspirant for presidential honors in '96 will accept a position in the cabinet.

THE prostration of Governor Morton while viewing the Decoration Day parade, in New York, ought to result in a reformation in official formalities that often endanger the lives of men in public life. Why the Governor of a state should be obliged to stand uncovered in a blazing sun to view a procession at the risk of a sunstroke is a hard question to answer except by the stickler on petty formalities. During President Cleveland's second inaugural he stood with bared head in a storm of snow and sleet simply because custom made no provisions for bad weather and the custom could not be changed whatever the result to the chief executive of the nation. Discipline in the fine points of official customs has caused the death of more than one public servant.

### OIL TANKS ON FIRE.

Fierce Battle With the Flames in a German City.

HAMBURG (Germany), May 31.—Five of the Bremen Trading Company's petroleum tanks caught fire tonight. The fire is still raging, and covers an enormous extent of ground. Thousands of barrels of petroleum, in addition to the five tanks of the trading company, have been destroyed. All the available fire engines and the whole of the Pioneer Battalion are trying to quench the conflagration. They are only able to protect the laborers' cottages.

The Kaiser factory and the American company's petroleum are safe, as the wind is driving the fire in the direction of the Elbe. The town is on the south bank of the Elbe, about six miles south of Hamburg, and has a population of 18,000.

### A New Temperance Society.

DANBURY (Conn.), May 31.—Four hundred young women of this city have organized the Sisters' Temperance Society, and new members are being added daily. A big meeting will be held Sunday afternoon, and it is expected that a large delegation from Bethel, three miles distant, will be present to join the society. The pledge these young women are signing has made the society the talk of the State. In addition to abstaining from liquor, they agree not to keep company with or marry any young man who drinks. The young men have banded together to show their disapproval of what the young women have done. It is said that several engagements will be declared off.

### Gift to Chicago Masons.

CHICAGO, May 31.—Wirt K. Grassetto, son of the late millionaire Norman T. Grassetto, today presented the Masonic Temple Association with \$300,000. The elder Grassetto was responsible for the erection of the Masonic Temple, the greatest office building in the world, and it was in his name that the son made the gift.

### Dumbberger's Great Speed.

LOS ANGELES, May 31.—Dumbberger captured another world record today, the two-thirds of a mile, flying start, paced. He clipped two full seconds from John S. Johnson's record of 1:11 4-5, made at Waltham on September 21, 1894, doing the distance in 1:09 4-5. He was paced by a quail.

## BUSINESS BEGINS ON MONDAY.

Legislature Holds Short Session Thursday Morning

### MESSAGE RECEIVED BY THE HOUSE

Land Law Introduced in Senate and House Appropriation Bills—Measure to Regulate Currency Both Houses Adjourn Till Next Week.

The work of the Legislature yesterday consisted principally in clearing the decks for action. Announcement of the organization of the legislative bodies was conveyed to the President and the message received by the House of Representatives. Two Gov-



HON. J. KAUBANE, SENATOR FROM HAWAII AND VICE PRESIDENT OF THE SENATE.

ernment measures were introduced and in general the preliminary work was completed preparatory to beginning active work on Monday morning at 10 o'clock.

The Senate was called to order promptly at 10 o'clock by President Wilder, with all members present. After the opening prayer and the reading of the minutes, a communication from the House was read notifying the Senate of the organization of that body. A ten minutes recess was taken to await the action of the House. At the close of the recess Rep. Richards appeared at the door of the Senate and presented a joint resolution notifying the President of the organization of the Legislature. Sen. J. Kaubane was appointed a member of the joint committee to place the resolution before the President.

On motion of Sen. McCandless the secretary was empowered to purchase stationery and supply blanks necessary until the printing committee should be appointed. The secretary read a communication from C. T. Rodgers, secretary of the Labor Commission, presenting the report of the commission on the coffee industry. Copies of the report were distributed among the members. President Wilder also announced that he had received the reports of the Minister of the Interior, Attorney-General, Finance Department and Board of Health.

Owing to the absence of Minister King, the Attorney General asked leave to introduce Bill No. 1, An Act Relating to Public Lands. This was received and read for the first time by its title.

Sen. Kaubane reported that the joint committee had waited upon the President, who desired the names of the members of the Senate. These were ordered to be forwarded to the President and on motion of Sen. Brown the Senate adjourned to 10 o'clock Monday morning.

### House of Representatives.

Speaker Naone called the House to order at 10 o'clock. After the opening prayer by Chaplain Waiamau and the approval of the minutes, Minister Smith presented the usual concurrent resolution that a committee be appointed to act in conjunction with the Senate committee to inform the President of the organization of the Legislature. The speaker appointed Rep. Richards as the member of the committee from the House. Later a message was received from the Senate announcing its concurrence in the resolution and the appointment of Sen. Kaubane as a member of the joint committee.

On account of the illness of Minister King, the Attorney General asked leave to introduce the Act Relating to Public Lands. This was received and read the first time by its title.

Rep. Richards announced that the joint committee had performed its duty in notifying the President of the readiness of the House to receive the message. Rep. Kamauloha moved that the House proceed at once to the appointment of the five members of the Council of State. Rep. Robertson moved to adjourn but withdrew his motion, and on motion of Minister Damon Mr. Kamauloha's motion was amended to provide for the appointment of a committee of three by the speaker to select names for the members of the Council of State, such selection not being regarded as barring the member from offering other names. The amended motion was adopted and the speaker named Reps. Robertson, Kamauloha and Richards to serve on the committee.

Minister Damon asked leave to introduce the following appropriation bills which were read for the first time and ordered translated and printed in Hawaiian and English:

An Act Making Supplementary Appropriations for the Use of the Government of the Republic of Hawaii for the two years ending March 31, 1896.

Be It Enacted by the Legislature of the Republic of Hawaii:

Section 1. The following sums, amounting to \$150,250, are hereby appropriated from the Public Treasury in addition to the sums heretofore appropriated for the following purposes, namely:

Legislature.—Expenses of the Special Session of the Legislature, 1895, \$12,000.

Permanent Settlements.—Kailua, for the twelve months commencing April 1, 1895, \$4,000.

Department of Foreign Affairs.—Band, \$600; support of military, \$15,000.

Attorney-General's Department.—Pay of Police, Oahu, \$10,000; pay of jailors, guards and lunas of prisoners, \$10,000; support and maintenance of prisoners, \$14,000; incidentals, civil and criminal expenses, \$8,000.

Bureau of Public Instruction.—Stationery, books and incidentals for office and schools, \$5,000; repairing school houses, \$3,000.

Interior Department.—Expenses of Land Act of 1895, \$10,000; landings and buoys, Honolulu, \$5,000; roads and bridges, Puna, \$5,000; roads and bridges, Kailua, \$2,000; roads and bridges, Hana, \$1,500; water works, running expenses of the pumping plant, \$5,000; water works, Laupahoehoe, \$250; water works, Koloa, \$2,000; Fire Department, Honolulu, \$4,000; new court house, Kona (substituted for Waiohinu), \$3,500.

Telegraphic connection between North Kona, South Kona and Kailua, \$3,000.

Total, \$156,250.

Sec. 2. This Act shall take effect from and after the date of its publication.

### An Act to Regulate the Currency.

Be It Enacted by the Legislature of the Republic of Hawaii:

Section 1. It shall be lawful for the Minister of Finance to redeem all certificates of deposit issued under the provisions of Chapter 35 of the Session Laws of 1888 and the amendments thereto, now outstanding, at their nominal value on demand, and all certificates so redeemed shall be forthwith withdrawn and cancelled by the Registrar of Public Accounts, in such manner as the Executive Council shall direct.

Sec. 2. The Minister of Finance may issue or cause to be issued from time to time gold and silver certificates of deposit, payable to bearer on demand without interest upon setting apart as a special deposit an equal amount of gold coin of the United States of America and silver coin of the Hawaiian Islands or of the United States of America as security for the redemption of such certificates respectively.

Sec. 3. The certificates issued upon the gold deposit shall be of a uniform color and of the respective denominations of five, ten, twenty, fifty and one hundred dollars. The certificates issued upon the silver deposit shall be of another uniform color and of the respective denominations of five, ten, twenty, fifty and one hundred dollars.

Sec. 4. All such certificates shall be signed by the Minister of Finance and countersigned by the Registrar of Public Accounts, and the special deposits of gold and silver coin in the Treasury for their redemption shall be used only for the payment and redemption of such gold and silver certificates, and shall be kept as special deposits for such purpose and no other.

Sec. 5. This Act shall take effect from and after its approval, and all laws and parts of laws inconsistent herewith are repealed.

An Act Making Supplementary Appropriations for the Use of the Government of the Republic of Hawaii for the Two Years Which Will End With the Thirty-first Day of March, 1896.

Be It Enacted by the Legislature of the Republic of Hawaii:

Section 1. The following sums amounting to \$32,300, are hereby appropriated out of any moneys which shall be received by the Treasury during the Biennial Period ending March 31, 1896, from the loan authorized by the Act approved January 11, 1893, and by Act 16 of the Provisional Government, approved February 18, 1893, from any surplus receipts from deposits in the Postal Savings Bank, and from current revenue; provided, however, that any moneys advanced from current revenue, or from deposits in the Postal Savings Bank for the objects named, may, as soon as practicable, be reimbursed from moneys obtained from such loan:

### INTERIOR DEPARTMENT.

New wharves, sea wall, dredging Honolulu harbor and bar, retaining wall, Haalihamanu stream (for wash-bouses), \$2,500.

Roads, bridges and landings, King street steel bridge, \$10,000.

New buildings, vaults, magazine and hospitals, central fire station (additional), \$19,000; Teacher's cottage, Puna, \$800. Total, \$32,300.00.

A short recess was taken, after which Rep. Richards announced that the message was ready to be submitted to the House. The report of the committee was accepted and the committee discharged. Shortly before noon Major Potter presented the message to the Speaker. After the Secretary had read a portion of the document, Rep. Hanuana moved that the reading be dispensed with and the message be printed in Hawaiian. At 11:45 the House adjourned to 10 o'clock Monday morning.

### WRECKED OF THE COLIMA.

Only Thirty-four Out of Two Hundred and Sixteen Escaped.

SAN FRANCISCO, June 1.—Additional particulars regarding the loss of the Colima at Manzanillo state that overloading caused the disaster in which only thirty-four out of two hundred and sixteen escaped.

The Colima was lost in 18 deg. 38 min. north latitude, 104 deg. 14 min. west longitude during a heavy storm beginning in the southwest and driving the vessel shoreward.

Captain J. F. Taylor proved a brave man, and did everything to save the vessel which man could do, but during the height of the storm he was killed by a falling spar.

Chief Officer D. E. Griffith and Chief Engineer John P. Ebsen met death in the same way.

The steamship had on board at the time of the wreck one hundred and twenty-three passengers and a crew of eighty men.

NEW YORK, May 31.—A special to the World from San Jose (Costa Rica) says: "It is the general opinion that it will be difficult to avoid war with Nicaragua. Public opinion seems to favor war. Military preparations continue."

## Timely Topics

June 14, 1895.

"The rich grow richer and the poor grow poorer." Such is the general impression. Is it true? The rich have grown richer, the well to do have become rich, the poor have become well-to-do in some cases. The poor however are still with us. Many are found in extreme poverty. Do industrial conditions tend to extremes? Have the hoards of the rich been filled from the pockets of the poor, as is implied in the above quotation.

Riches and poverty are relative terms. Considered relatively, the very rich and the very poor, are farther apart than ever before. This may be true, and still the very poor may be at a higher point in conveniences and even the comforts of life, than was attainable in the past.

It must be remembered that better pecuniary conditions encourage artificial wants, and that under the stress of such wants, that what were once considered luxuries became necessities. Gratification of artificial wants cannot easily be denied. So it comes to pass that the style of living is advanced.

The laborer out of employment finds that in prosperous times he has lived up to the limits of wages earned. Envy seizes the suffering employee. Can we rightly blame him? Sympathy will not relieve his distress. Charity is distasteful to him. Work, whereby he may secure food, clothing and shelter, is his desire. But work is not always at hand. What means can he use to secure support in times of forced idleness? One answer rises to every mind: While employed and earning wages he should have foresight enough to lay aside a part of his daily earnings.

If a home is not attractive there is something wrong. Anyone can make it attractive if they will only make an effort. It isn't altogether a question of beauty; it is largely a question of health. Leaving out all considerations of attractiveness and looking at the matter only on the side of comfort, a person's health should be the object of greatest care and thought. One of the first things in building or renting a house is the sanitary condition. See that the drainage is perfect in every respect. This one particular point you can't afford to overlook.

Those having homes or intending to build will do well to examine into the merits of our Porcelain Lined Soil Pipes and Fittings; they are coated on the inside with the same material as our celebrated baths, and prevent rust and the accumulation of dirt, in addition to adding great strength to the iron by being annealed by the process. The baths are one of the many things we have considered in our selection of stock and wish to make a thorough examination of these as well.

The Enameled Rolled Rim Bath Tubs is one of the many things that go to make a nursery complete, and for hospital use they cannot be duplicated.

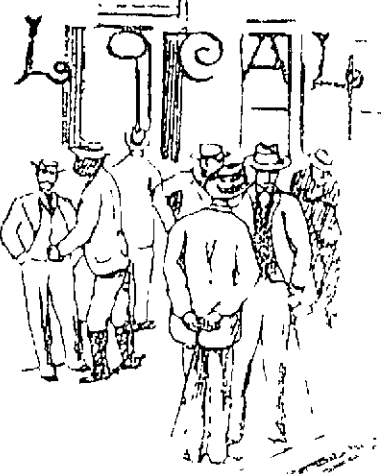
We have the same thing suitable for families, being so arranged and partially sunk in the floor that they utilize all waste space. The Enameled Plain Kitchen Sink, Laundry Tubs and Standard Open Lavatory go to make your home complete, and the sanitary condition of your house is perfect.

The Hawaiian Hardware Co. Ltd.

Opposite Spectator's Block.

CORNER PORT STREET.





## FOURTH OF JULY CELEBRATION.

Meeting Called for Next Saturday Night by Minister Willis

## DISTINCTLY AMERICAN OCCASION

Hearty Co-operation of American Representatives—Chairman Lausing Set Right—Unauthorized and Impolitic Statement Emphatically Contradicted

No change in sugar since last report.

James Keola has resigned his position in the postoffice.

New goods are constantly being received by E. O. Hall & Son.

Wray Taylor is expected to return home on the next Australia.

A decision has been rendered in the "Prince" Cupid habeas corpus case.

P. C. Jones and family will go to Waikane next week to spend some time.

The Daily Bulletin plant will be sold under foreclosure Saturday by Levy.

Officers of the Philadelphia have commenced to say good bye to friends.

Officers of the Philadelphia made farewell calls on Minister Willis yesterday.

Mrs. Dole's weekly reception day is changed from Saturday to Friday afternoon.

The Hawaiian National band gave a vocal and instrumental concert at Suto Baths, San Francisco, on June 2d.

Plans for the new opera house will be completed in a few days. Bids will be called for as soon as they are ready.

Bicyclist Zimmerman will start from the East on his Australian tour early in August. He will stop over in Honolulu.

The public is cordially invited to attend closing exercises of Kamehameha schools on the 22d, 24th and 29th inst.

Admiral Beardslee inspected the Bennington Wednesday and Thursday. Drills were gone through during the inspection.

Captain Weisbarth will have charge of the Norma on her trip with supplies to Fanning Island. The Norma will sail during the week.

The work of reconstruction on Kawaiaha church is progressing satisfactorily. The floor, roof and part of the interior have been completed.

A meeting of the Board of Directors of the O. R. & L. Company was held yesterday to discuss a project which will soon be put in operation.

The Philadelphia will sail at noon on the 17th. No mail will be sent by the vessel as the Coptic will be due on that date from China to the Coast.

Information is wanted of John McKenzie. He is fifteen years of age, tall and slender, fair hair and blue eyes. Resided in Scotland about five years ago.

Mrs. A. Fowler will entertain the officers of the Philadelphia and Bennington at the home of her mother this evening. Music will be furnished by the Philadelphia band.

J. F. Morgan moved into his new residence on Emma street yesterday. The structure is among the handsomest in the city, with all modern improvements, and adjoins Emma Square.

Timely Topics tells this morning how the rich grow richer and the poor poorer, at the same time discussing the relative merits of useful and desirable goods.

Miss Ida Campbell Mott-Smith was married to Robert Morris Lovett in Boston, Mass., at high noon Tuesday, June 4th. The bride is a daughter of Mrs. J. Mott-Smith, of Honolulu.

D. Howard Hitchcock, in a letter to a member of the Pacific Tennis Club, wrote the following: "We have succeeded in getting up considerable tennis enthusiasm in Hilo and will have a fine court soon."

A chorus composed of boys and girls from Punahou preparatory and collegiate departments practiced singing in the parlors of Central Union church yesterday for commencement exercises at Punahou next week.

James Crane of the Nuuanu electric light station sustained an injury yesterday afternoon when he was saddling his horse to come to town, the animal kicked and struck him just below the knee cap of the right leg, breaking one of the cords.

allowed the volunteers, which, if the soldiers maintain their usual standard of excellence, should enable them to win the match or give the Sharpshooters a close rub. Both teams have been practicing steadily during the past few days, and an interesting event with heavy scores is anticipated.

## Joseph Cook Coming

Rev Joseph Cook, the noted lecturer and preacher, will arrive in this city, with his wife, about the 6th or 7th of this month, says the S. F. Chronicle of June 1st. He will deliver one or more lectures in the First Congregational Church during his stay in this city. He leaves for Honolulu on the steamer Australia of the 15th inst., on his way to the Orient. This will be his second tour around the world. Mr. Cook has been in the lecture field for more than twenty years.

## RECITAL BY MISS RICHARDS.

Number of Society People Entertained With Music and Song

Spacious and Hospitable Home of President Dole the scene of a Pleasant Gathering Last Night.

Miss Grace Richards, whose singing has so often given pleasure to the musical inclined of Honolulu, assisted by Miss Greene, accompanist, entertained over a hundred society people last night in a recital at the residence of Mrs. S. B. Dole, under the patronage of Mesdames C. H. Atherton, C. M. Cooke, B. F. Dillingham, S. B. Dole, W. F. Frear, J. A. Hopper, P. C. Jones, H. Laws, J. A. McCandless, H. A. Parmelee, Theodore Richards and the Misses Mott-Smith.

The President's hospitable and spacious home was thrown open for the occasion. Chairs were placed in the drawing and dining rooms, as well as upon the piazza. The piano, occupying a place within sight of all, was surmounted with flowers, a vase of night-blooming cereus being among the collection.

In the program arranged for the evening Miss Richards admirably adapted her voice to the size of the rooms in which the entertainment took place, and retained a charming expression throughout. That her cultured voice is appreciated in Honolulu is proven by the fact that she is always sought after by persons such as those whose names appear in the list of patronesses for last night's recital.

Not a small amount of credit for the success of the entertainment is due to Miss Greene, whose accompaniments made more effective the songs rendered by Miss Richards. Miss Greene possesses the happy faculty of being able to play in sympathy with the singer for whom she is accompanying.

No better selection of music than was found on the program could have been chosen for a drawing-room recital. Twelve songs with an encore to Nevin's "In Winter" were sung by Miss Richards, and two piano solos rendered by Miss Greene.

At the end of the program the guests divided into groups and spent a few moments in pleasant converse.

Following was the program rendered:

Could I...	Tosti
Slumber Song...	Mattell
Die stille Wasserrose...	Kucklen
Piano Solo—"Murmuring Zephyrus"...	Jensen
Two Scotch Songs...	Chamblaine
Ritornelle...	Schubert
Wanderers' Nachtlied...	Macfarlane
Ungeduld...	Chopin
Marguerite...	Chamblaine
Piano Solo—Scherzo Op. 81, No. 2...	Nevin
Summer...	
"Every Night"...	
Child's Garden of Verses No. 1...	

## MONS. VERLEYE'S SUCCESSOR.

More Lucrative Position Offered the Late Consul in China.

It is understood that the first mail after the decease of Mons. Henri Verleye brought a communication from the French Government offering the late Commissioner a more lucrative position in Singapore, China, and upon notice of his acceptance a successor would be appointed, together with a Chancellor to succeed Mons. Verleye.

The death of Mons. Verleye, news of which has been received by the French Government ere this, may result in some change being made at once, his successor more than likely being now en route to Honolulu.

General Wade Hampton will leave Chicago for California June 1st to attend to his duties as a member of the Railroad Commission.

## JAPAN FIGHTING IN FORMOSA.

Work of Subduing Chinese Republicans Has Begun

England Wants to Help French Indemnity Funds Why France Intervened

LONDON, May 31.—A dispatch to the Times from Hongkong today confirms the news contained in the dispatches last night from Hongkong that hostilities between the Japanese and Chinese republicans on the island of Formosa have commenced.

According to the Times dispatch the Japanese forces landed at Kee Lung, in the extreme north of the island, yesterday, and fighting between them and the Chinese commenced.

The Times will print a dispatch from Tien-tsin, which says that the Japanese are rapidly evacuating the Liao-Tung Peninsula, and that the movement will be completed in ten days.

LONDON, June 1.—The Paris correspondent of the Standard is assured that town dues of Peking will be required as a partial guarantee of the indemnity loan.

PARIS, May 31.—In the Senate today, M. Hanotaux, the Minister of Foreign Affairs made an important statement regarding the foreign policy of the Government, in which he said that French national interests were subordinated to the interests of other powers. He explained that the part which France took in the European representations in Japan was dictated by the interest of France in view of her position in the Far East and the protection she owed to French religious missions in China. France could not see the independence of China menaced by permanent Japanese occupation. If the empire of China fell or was rudely shaken, French interests would surely suffer from the consequent disorder and anarchy. Russia, he continued, held the same view regarding the necessity of maintaining the status quo in China in her own interest, and Germany likewise had good reason for acting in unison with France and Russia.

NEW YORK, May 31.—The Commercial Cable Company this afternoon issued a notice saying that private telegrams from the island of Formosa cannot be accepted for Kee Lung, Tamsui and Taitsai.

## ENGLAND WANTS RECOGNITION.

LONDON (England), June 1.—The Times in its financial article this morning, referring to the attempt to exclude London from a share in the Chinese indemnity loan, says Russia still doggedly hangs to the idea that the loan shall be confined to Russia, France and Germany, "but," says the Times, "on such terms the loan cannot succeed."

"The only plan is for London also to have a proper share. Even this plan is not politically satisfactory, as it might involve mischievous interference with the Chinese customs duties, to which British vessels contribute over 80 per cent in the revenue."

"In any case England will not allow itself to be deprived of its legitimate voice in the settlement of far eastern affairs merely because it wisely refused to join the three powers in a policy of hostility to Japan, conceived in the interest of Russia, the outcome of which is far from clear."

## THE CHINESE WAR LOAN.

BERLIN (Germany), May 31.—The correspondent of the Daily News at Vienna wires a report that the Korean Premier has negotiated a treaty with the Russian Ambassador whereby Russia agrees to protect Korea in certain emergencies.

"Korea would be one of Russia's proteges," continues the correspondent, "without losing her independence. The King of Korea refuses to sanction the treaty. Japan threatens to recall her representatives from Seoul if the treaty contains two clauses."

"I am informed that China has given Russia a conditional permission to cross the Chinese frontier at any time the Chinese Tartars molest Russian workmen employed on the Trans-Siberian railway. This may explain the reported invasion of Manchuria."

## RACES ON THE FOURTH.

Jockey Club to Offer \$150 Purse for Five Events

The executive committee of the Jockey Club and horse owners met at the Hawaiian hotel last night to arrange a program of races for the 4th of July. There were propositions and counter propositions without number.

It was finally decided to have five races on that day, the Jockey Club to offer purses of \$150 for each event. Besides, the prospects are good for several match contests, Greole and Silkey, Silkey and Gerster, Lord Brock and Senator Stanford, with others being among the number. Races to commence at 1 p.m.

## Labor Commission Inquiry.

The report of the Labor Commission on the coffee industry was delivered to the two houses of the Legislature yesterday. Two other reports, one on co-operation and profit-sharing and one on arbitration and strikes, will be ready for delivery when the Legislature meets again, the first of next week. The material for further reports on the various matters the Commission is instructed to inquire into is being put into shape and will be ready for delivery at an early day.

J. W. Warburton has been gazetted Consul General to Great Britain at San Francisco.

## TELEGRAPHIC NOTES.

Business is steadily improving all over the United States.

Hordes of Japanese are attempting to get into the United States from British Columbia.

President Cleveland will officially attend the opening of the Harlem Ship Canal, June 17th.

Boston, Mass., May 31.—Today was one of the hottest of the season, the mercury registering 90 degrees.

Alemed Chattel, the murderer of little Jessie Keith last October, was hanged at Stratton, Ont., May 31st.

Jim Corbett has gone to Asbury Park, N. Y., to begin his preparations for training for his fight with Bob Fitzsimmons.

The first consignment of the new tea crop of Japan, consisting of 3000 chests, arrived at Tacoma, Wash., on May 31st.

JOHNSTOWN, Pa., May 31.—The Cambria Iron Company today advanced wages in all departments 10 per cent. This will increase the payrolls \$20,000 a month.

Alexander Macdonald, Minister to Persia, has informed the department of the death of the senior member of the American mission service in Persia, Rev. J. H. Shedd.

ROME, May 31.—Cardinal Gibbons, of Baltimore, Rev. J. S. Foley, Bishop of Detroit, and Mgr. O'Connell, rector of the North American College, arrived here this afternoon.

The Baltimore and Ohio special train conveying the President and Cabinet party from Secretary Gresham's funeral arrived at Washington at 5:04 o'clock May 31st on time.

Decoration Day services were held at the American Cemetery, near the City of Mexico, over the graves of American soldiers who fell in the Mexican War or who have since died in that capital.

The subscription books for \$1,986,000 of the Edison Electric Company's first consolidated 5 per cent 100 year gold bonds were opened in New York May 31st and in half an hour, at 10:30 a. m., were closed, the loan having been subscribed for twice over.

The Canadian steamer Jack, a flat boat, collided with the steel steamer Norman of Menominee on Lake Huron. The Norman sank immediately, drowning the cook, the wheelman and a fireman.

WASHINGTON, May 31.—Nine hundred and eighty-seven patents were issued this week. This is the largest number, with two exceptions, issued in any week since 1891.

St. Paul (Minn.), May 31.—A freight train on the Soo road ran into an army of traveling caterpillars near New Paynesville, Minn., and the obstruction delayed the train three hours.

The heated term is fairly on throughout the Eastern States. Many serious sunstrokes have occurred at different points. Governor Morton was prostrated in New York on May 30th while viewing the parade at the World monument.

## PROTECTION AND Bimetallism.

Chairman Carter Outlines the Policy of the Republican Party.

NEW YORK, May 31.—Thomas H. Carter, former chairman of the Republican National Committee, in a public statement says "In 1896 the Republican party will stand for protection and restoration to bimetallism on a substantial and enduring basis. There may be differences of opinion on the schedules, but not upon the principles of protection. There will be differences of opinion as to the best course to pursue to secure free and unlimited coinage, both of gold and silver, at a fixed ratio, but there will be no difference of opinion as to the desirability of bringing about that result. Upon one question there will be neither a difference of opinion nor the means to be employed. That is, with reference to the restoration of a vigorous and thoroughly American foreign policy."

Bedouins Kill British Representatives. JEDDAH, May 31.—As briefly stated in yesterday's dispatches, W. S. Richardson, British Consul, the British Vice-Consul, Mr. Brandt, the Russian Consul, and M. O'Orville, the Secretary of the French Consulate, were walking near town when, apparently without provocation, they were assailed by eight Bedouin Arabs who, when only four yards away, opened fire upon them with guns and pistols. The British Vice-Consul expired ten minutes after he was shot. The recovery of the other three is doubtful. Fifteen arrests have been made and the greatest excitement prevails.

CONSTANTINOPLE, May 31.—Advices from Moosh state that the residences of the French, British and Russian envoys had been forcibly entered by Turkish gendarmes, who attempted to arrest a servant of the envoys.

## Gresham's Successor.

WASHINGTON, May 31.—There is a strongly defined rumor that Secretary Carlisle is to be transferred to the State Department for the express purpose of making a long-desired change in the Treasury.

It is also possible that Embassador Bayard may be called from the court of St. James to succeed Gresham, but his desires are all known to be the other way.

It is quite currently asserted that in

case of Bayard's recall to become Secretary of State, William C. Whitney would go to the court of St. James. It is generally understood that Whitney's Presidential aspirations stand in the way of a Cabinet position for him.

Secretary Gresham's estate is said to amount to about \$10,000.

## Good Work for War Vessels

WASHINGTON, May 31.—The telegrams received at the Navy Department, showing the time of the New York and Columbia at Southampton, England, make it apparent that they made the trip across the Atlantic in ten and nine days respectively, and this without being pushed in any degree. This is said by the Navy officials to be the best passage on record for American men-of-war.

## BY AUTHORITY.

## Sealed Tenders.

Will be received at the office of the Minister of the Interior until 12 o'clock noon on Monday, July 1st, 1895, for the construction of a School House at Kailua, N. Kona, Hawaii.

Plans and Specifications can be seen at the office of the Superintendent of Public Works, also at the residence of J. D. Paris, Kealahou.

The Minister of the Interior does not bind himself to accept the lowest or any bid.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 7th, 1895.  
1662-3t

THURSDAY, July 4th, 1895, being a National Holiday, all Government Offices throughout the Islands will be closed on that day.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 7th, 1895.  
1662-4t alt.

Mr. JOSEPH K. NAHALE has this day been appointed a Notary Public for the Third Judicial Circuit of the Hawaiian Islands.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 10, 1895.  
1662-3t

## Notice to Corporations.

In conformity with Section 1441 of the Civil Code, all Corporations are hereby requested to make full and accurate exhibition of their affairs to the Interior Department, on or before the 31st day of July next, the same being for the year ending July 1st, 1895.

Blanks for this purpose will be furnished upon application to the Interior Office.

Upon failure of any Corporation to present the exhibit within the time required, the Minister of the Interior will, either himself, or by one or more Commissioners appointed by him, call for the production of the books and papers of the Corporation, and examine its officers touching its affairs under oath.

J. A. KING,  
Minister of the Interior.  
Interior Office, May 25th, 1895.  
4003 1656-4t

Mr. C. H. BISHOP has this day been appointed a Notary Public for the Fifth Judicial Circuit of the Hawaiian Islands.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 3, 1895.  
1650-3t

## 4th of July Notice.



AM REQUESTED TO INVITE citizens of the United States in the Hawaiian Islands and all others so disposed to meet at the Arlington Hotel SATURDAY, at 7:30 p. m., to consent as to the Celebration of the 4th of July.

ALBERT S. WILLIS,  
E. E. and M. P. U. S. A.

## NOTICE.

NOTICE IS HEREBY GIVEN that the Term of the Earth and Water Right to be held at Honolulu, Hawaii, on Wednesday, the 1st day of July, 1895, and on MONDAY, the 2nd day of July, 1895, at 10 o'clock A. M.

By the U. S. DEPARTMENT OF THE INTERIOR

Honolulu, June 10, 1895

Dr. LIEBIG & CO

Special Doctors for Chronic, Private and Wasting Diseases.

Dr. Liebig's Institute for the greatest remedy for Seminal Weakness, Loss of Nerve and Private Disease, restores Premature and Protracted Life, and cures all diseases of the system, and restores the system to its normal condition, and restores the system to its normal condition, and restores the system to its normal condition.

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Special Doctors for Chronic, Private and Wasting Diseases.

Dr. Liebig's Institute for the greatest remedy for Seminal Weakness, Loss of Nerve and Private Disease, restores Premature and Protracted Life, and cures all diseases of the system, and restores the system to its normal condition, and restores the system to its normal condition.

By the U. S. DEPARTMENT OF THE INTERIOR

Honolulu, June 10, 1895

Dr. LIEBIG & CO

Special Doctors for Chronic, Private and Wasting Diseases.



In the Supreme Court of the Hawaiian Islands.

MARCH TERM, 1895

BEFORE JUDGE C. J. HARRISON AND  
JURY.

E. K. NAHAOLELLA AND KIA NAHAOLELLA, HER HUSBAND, VS. KAAHUA (W.)  
S. K. KAHU, C. H. ROSE, LAI SUI,  
G. LONG AND LOANE VS. S. K. KAHU  
his GUARDIAN ad litem

Parol evidence is admissible to locate the land described in the deed, but not to extend the scope of the deed to land not embraced in its descriptive words.

More failure on the part of the owner of land to object to its partition and improvement by others, does not estop him from claiming the land, his title being of record and he having done nothing to induce a belief that he had no title.

The act of an agent does not estop his principal, unless done within the scope of his authority.

OPINION OF THE COURT BY FREAR, J.

This is a supplemental bill for partition. The original bill was brought for the reformation of a deed, the plaintiffs claiming that their deed, made in 1878, to the defendant Kaahua, was intended to convey a definite portion of apana 4 of Royal Patent 1865, L. C. A. 6245, No. 1, but that by mistake the location of the land was left uncertain. The Circuit Judge held that the evidence as to location was not sufficiently clear to entitle the plaintiffs to the relief prayed for. Upon appeal this Court sustained the decree of the Circuit Judge, to the extent of refusing the relief prayed for, but held further, and against the defendants' contention that the deed conveyed the whole of apana 4, that it conveyed an undivided part thereof, equal to 266 square fathoms and 7 square feet, and remanded the case to the Circuit Judge, with leave to the plaintiffs to file this supplemental bill for partition. *Nahaolella et al. v. Kaahua et al.* 9 Haw. 600.

The Circuit Judge, upon the supplemental bill, answer, replication and proofs, decreed that partition be made.

The defendants, on this second appeal, object to a partition upon the grounds, (1) that, by the construction placed upon the deed by the parties thereto, as shown by their acts, the whole of apana 4 was conveyed, and (2) that the plaintiffs are estopped by their conduct from claiming any interest in this apana.

The acts and conduct relied upon in support of these contentions are mainly the following: The plaintiff, Mrs. Nahaolella, at the time of her conveyance, in 1878, resided on Maui, and knew but little about the land, as her property had been in charge of Mr. Cartwright who had been her guardian; her husband, Kia, came to Honolulu, measured the land in a rough way, and arranged the sale; the defendant Kaahua, after her purchase, took possession of the whole of apana 4, filled in wet and marshy portions thereof, and had a road opened thereon; at various times, beginning in 1885, she sold portions of the land to other persons; she and her grantees erected buildings and made other improvements on the land; in 1891, Mr. Cartwright, then Mrs. Nahaolella's agent, took a mortgage of the land from Kaahua; the plaintiffs were repeatedly at the place or in its vicinity and presumably saw and knew of the occupation by Kaahua, but took no steps to assert their rights until 1891, when they brought ejectment, but discontinued, and brought this suit in 1892.

The first question, that of the construction of the deed, is settled by the former decision of this Court, which is a part of this case, and is expressly alleged in the supplemental bill and is admitted in the answer. The Court did not, it is true, in its opinion upon the construction of the deed, advert to the acts or conduct of the parties as bearing on the question of the quantity of land conveyed; but it was unnecessary to do so. There was no latent ambiguity on that point. The deed conveyed 266 square fathoms and 7 square feet of Awar 6245, which contains 13,906 acres. By no construction of which its language is capable could it be made to cover the whole of apana 4, which contains 1,704 acres; and parol evidence was inadmissible to add to or contradict its language.

In *Aylett v. Keaweamahi*, 8 Haw. 320, cited by defendants' counsel, there was a latent ambiguity as to which two of several lots were intended to be conveyed, and extrinsic or parol evidence of the intention of the parties, as shown by the possession of the grantee, and the acquiescence of the grantor, was admitted to identify and locate the lots. In the language of the Court, quoting from a New York decision, the evidence was admissible "to ascertain the particular subject to which the words apply," not "to add to or contradict the language" of the deed, "to ascertain the intention of the parties as expressed in the writing, and not to make the deed operate upon land not embraced in the descriptive words." So, in the present case, parol evidence was considered for the purpose of locating the land in apana 4 of the Awar, but could not be considered for the purpose of extending the operation of the deed to the whole of that apana.

Secondly, assuming that the deed was correctly construed as conveying only a portion of the apana, are the plaintiffs estopped by their conduct from asserting their title to the remainder of the apana? It does not

appear that they took any active steps or actually did anything to induce or warrant the belief that they had no title to the land. They merely knew of the possession and improvement of the land by others and were silent. It is well settled both here and elsewhere that mere acquiescence, consisting of knowledge and silence, does not work an estoppel, unless, because of special circumstances, there is a duty to speak. A person has a right to assume that others will not enter and expend money upon his land except at their own risk, without first searching the records and making necessary inquiries, and, if they neglect to pursue the ordinary means of ascertaining in whom the title lies, and suffer in consequence, it is their own folly. They cannot blindly take risks and then cast the loss, if any, upon the owner, who has done nothing to encourage them in their action.

In *Kela v. Pahuilima*, 5 Haw. 525, the defendant purchased land from one in possession without title, and put two buildings on the land; there was adverse possession for over 15 years; the plaintiffs often passed by the premises and presumably knew of the adverse possession and improvements, but made no claim or objection. The Court held that there was no estoppel, saying, "a purchaser is bound to examine the title. \* \* \* The defendant had every opportunity to know that Pahuilima, of whom he bought, had no title to the land. The plaintiff does not appear to have done anything to induce him to act on a different state of things." The facts of this case are almost identical with those of the case at bar.

In *Waiaha v. Nabolowaa*, 6 Haw. 271, the plaintiff, after ejectment at law, brought her bill in equity for an account of moneys expended in improvements. She and her husband under whom she claimed by devise had held adverse possession for 19 years and erected buildings on the land; they had presumptive knowledge of the true title. The Court refused the plaintiff relief, saying: "The only point in her favor is the apparent acquiescence of Nabolowaa in the expenditures made on his land. But it does not seem to me that a person is bound to object to improvements being made on his land, where the facts show that the occupier had knowledge of the true title, and where there is no fraud or deception alleged or shown." See also *Kingman v. Graham*, 51 Wis. 232.

But it is said that the recorded deed of plaintiffs to Kaahua was too uncertain to amount to notice to subsequent purchasers. If so, then it was their duty either to refrain from purchasing or else to make inquiries of the plaintiffs. The deed certainly did not justify them in supposing that the plaintiffs had conveyed the whole apana. In *Aylett v. Keaweamahi*, *supra*, the Court, holding that there was no estoppel, said, "we require that the facts should show silence with intention to deceive, such as would amount to constructive fraud. The deed to Kalaikuewa (under whom the plaintiff claimed) was on record when the deed to defendant was made, and defendant cannot now say that he was ignorant of the true state of the title. If, as claimed by the defendant, the record of the deed of 'two lots in Kaakopua' was too indefinite to apprise defendant that the land he was negotiating for had already been conveyed, it certainly should have put him on inquiry." The present case is strong against the defendants, for here they claim under the uncertain deed, while there the defendant claimed against it.

The other Hawaiian cases, cited by defendants' counsel, *Greenwell v. Paris*, 6 Haw. 318; *Kahanaliki v. Kohala Sugar Co.*, 1b. 696; *Kalaokokei v. Kabele*, 5 Haw. 51; and *Kamohai v. Kabele*, 3 Haw. 532; differ materially in their facts from the case at bar, and contain no rulings contrary to the above doctrines.

It is contended, however, that the taking of a mortgage of the whole apana (with other lands) from the defendant, Kaahua, by Mr. Cartwright, who was then agent for the plaintiff, Mrs. Nahaolella, was a positive recognition that the title was in Kaahua. In reply to this it is sufficient to say that, although Mr. Cartwright was at that time the agent of Mrs. Nahaolella, he did not in that transaction act as such agent. He acted for himself personally. The act of an agent does not bind his principal unless done within the scope of his authority. In this instance, Mr. Cartwright did not merely act without the scope of his authority as agent, he did not act as agent at all.

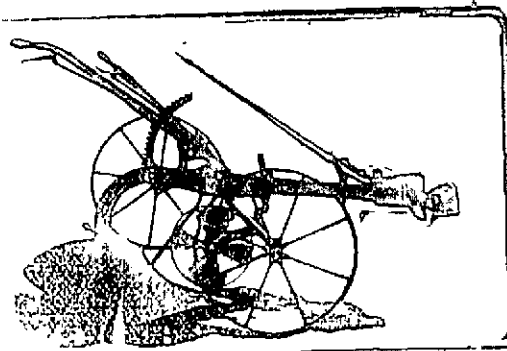
The decree of the Circuit Judge is affirmed.

W. C. Aebi for plaintiffs, A. S. Hartwell for defendants.  
Honolulu, May 31, 1895.

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That he has opened the above Saloon where first-class Refreshments

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—THE FINEST GRADES OF—

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Subscribed	2,750,000			
Paid-up Capital	2,750,000			
2—Fire Funds	2,944,102 11 07			
3—Life and Annuity Funds	5,359,585 15 1			
	£1,054,687			

Revenue Fire Branch	1,555,462 2
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The accumulated Funds of the Life and Life Departments are free from liability in respect of each other.

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Capital of the Co and Reserve, Reichs-

marks.....6,000,000

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The undersigned, General Agents of the above two companies for the Hawaiian Islands, are prepared to insure Buildings, Furniture, Merchandise and Produce, Machinery, &c., also Sugar and Rice Mills, and vessels in the harbor, against loss or damage by fire, on the most favorable terms.  
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# EARLY MISSIONARY DAYS.

Rev. S. E. Bishop's Discourse on Home Missions.

GRAND REVIVAL OF 1837 AND 1838

Sermon Delivered on 75th Anniversary of Founding the American Mission. Who the Workers Were and When They Came—A Grand Inheritance.

On last Sunday evening was celebrated the seventy-fifth anniversary of the establishment of the American Mission in Hawaii. At Central Union church the day was commemorated at the evening service by a sermon by Rev. S. E. Bishop, whose father was one of the active laborers in the early days. Mr. Bishop spoke as follows:

ISAIAH 60: 5.—"The abundance of the sea shall be turned unto thee; the wealth of the nations shall come unto thee."

By reason of our unique central and strategic position in the North Pacific Ocean, we of Hawaii have ample reason to apply this promise to our country. This is destined to be a great commercial resort, into which the abundance of the fast multiplying traffic of this great ocean must soon pour; and to which the wealth of the great surrounding nations must copiously minister. Co-ordinate with these benefits, stands before our churches and people the high duty, the lofty office and privilege, of ministering in return to this ocean commerce and to these visiting peoples the most elevating and healing influences that our best developed Christianity can supply. It has grown to be clear that these Hawaiian Islands have been so peculiarly located here, and so remarkably evangelized, for the great purpose of becoming a center of illuminating and health-giving forces to the vast commerce now developing.

It was seventy-five years ago, on March 31, 1820, that the pioneer missionaries, Bingham, Thurston, Whitney and Ruggles, with their associates, heard from the shore of Kohala that, "Kamehameha is dead! The tabus are abolished—the idols destroyed—the heathens are burned!" God had wonderfully cleared away the most formidable obstructions to the gospel.

I well remember the four missionaries named and their wives, twelve years later, when they had already given the New Testament to the people. Only a few and very aged survivors among the natives can remember their arrival. Just a month ago, on Pauoa road, there deceased an aged and most saintly man, the Rev. Daniel Pahi, who might have watched the brig Thaddeus as she lay to off the north point of Hawaii. He was the son and pupil in idolatrous services, of the priest of the ancient heiau of Mokuiki, still prominent on that coast, where thousands of human sacrifices were offered in the centuries of darkness. Pahi became an ardent and devout follower of Christ, and deeply abhorred the ancient superstitions from which he had been rescued—a literal worship of devils. He well remembered what this new generation of Hawaiians often strive to deny, the squalid poverty of their ancestors, even as I can remember them more than sixty years ago—their abject slavery to their landlords and chiefs—their nakedness, indolence and stupid ignorance—their bodies much disfigured by sores, and their minds tortured by fear of the kahunas and their familiar demons.

But they were kind hearted and receptive to instruction. They greatly revered the new teachers. Large-hearted and honorable chiefs like Kaahumanu, the Regent, the Premier Kalaimoku, the gracious Kapiolani famed for her clemency of Pele, the faithful Hoapili, and many other noble men and women, themselves chose Jesus as their master, and vigorously seconded the labors of the teachers. In seven years primary schools under native teachers had been established in every section of the group, and primers and portions of the scriptures had been printed and supplied to all who could use them. In June, 1832, I saw the powerful Kaahumanu dying upon her divan in Manoa, just after the first complete copy of the printed New Testament had been bound and placed in her hands.

The work of the gospel was vigorously pressed forward. Strong reinforcements were sent to the mission from time to time. Some familiar names of those who came may be mentioned. In 1823 arrived Richards, Bishop and Chamberlain; in 1828, Andrews, Clark, Green, Gulick, Judd; in 1831, Baldwin, Dibble and Tinker; in 1832, Alexander, Armstrong, Emerson, Forbes, Hitchcock, Lyons, Lyman and Rogers; in 1833, Parker and Lowell Smith; in 1834, Coan, Dimond and Hall; in 1837, Bailey, Castle, Cooke, Johnson, Wilcox; in 1841, Bond, Dole, Paris and Rice; in 1843, Rowell and J. W. Smith; in 1844, C. W. Andrews and Pogue, and Shipman in 1856.

In 1840, ending the first twenty years of the mission, fifty-three couples in all had arrived, of whom forty-one were then laboring here. Only ten of those had been more than ten years on the ground. Descendants of forty missionary families are now living in these islands, numbering about 180 of each sex, more than two thirds of them of the third and fourth generation.

In 1830 was completed the first stone church in the islands, that of Waipae in Lahaina. The stone church at Kailua was finished in 1837, that of Kawaiahae in Honolulu in 1842. A very large and substantial adobe church was finished at Ewa in 1836, and a similar one at Kaniakapili in 1833. Solid church buildings rapidly followed in all the principal districts; also well built school houses. A great impulse was given to education by the establishment in 1831 of the excellent high school at Lahaina, from which trained teachers were soon distributed throughout the islands.

By the press and bindery under the care of Messrs. Hall and Dimond, as well as a press at Lahaina, Scriptures and school books were greatly multiplied fifty and sixty years ago. The entire Bible was completed in 1839, carefully translated and revised by the laborious cooperation chiefly of the older missionaries, who were the most skilled in the vernacular, Thurston, Bingham, Richards and Bishop. Both at Kailua and at Ewa my father spent many hours

daily bending over his translations from the original Greek and Hebrew. Weekly installments of proof sheets and of copy for revision traversed the Kwa road between him and Mr. Bingham in Honolulu. This was added to frequent teaching in school, preaching in out districts, constant medical work and pastoral duty.

The most notable event of the missionary experience was the mighty revival in 1837-8. During the previous years less than 2000 converts had been baptized and admitted to the church. More than 19,000 were admitted in the next three years. A tremendous spiritual force descended upon all the people of the islands. They came out en masse to daily preaching services. They were overcome with weeping and praying. Then a boy of eleven, I remember the deep impression made by a strange, supernatural power with which the missionaries seemed at that time to speak. I saw 6000 half-clothed people of Ewa and Waianae on one Sabbath seated on the ground under a lani where the Kwa church now stands upon the hill, while my father administered baptism to four hundred men and women, calling them each by name, a service occupying two hours. He affixed the water from a sponge. Rev. Titus Coan baptized 1500 converts in one day, employing a brush, after the manner of baptism by the Jews in Christ's day, who sprinkled with a bunch of hyssop in token of cleansing.

Although the great revival left two-thirds of the 100,000 native people in 1840 still unchanged in heart by the gospel, nevertheless the whole nation had received a mighty spiritual uplift. It had become essentially a Christian nation. It was prepared to enter upon the noble period of progress in civilization, in constitutional liberty, and in representative government which followed. I left my father's house at the end of 1839. The common people were still nearly naked. They were still serfs and without ownership of land. There was no code of laws, nor regular courts. The king owned all the soil, and the chief under him exacted from the poverty-stricken people according to caprice. There was no public system of finance. Foreign merchants clamored for the payment of Government debts.

Soon after that Messrs. Richards and Judd left the mission to aid in organizing civilized government. When I got home again after thirteen years, I found a majority of the people decently clothed. Their lands were their own in fee simple. There was a legislature, fixed taxation, a code of laws and courts respected for their decisions. The treasury was out of debt. Hawaii had become a civilized country under a liberal, constitutional monarchy, all accomplished in one-third of a century from the savagery and despotism of Kamehameha's day.

For more than forty years since then, political, social and commercial progress have continued. Long since has been more than realized in Hawaii the hope expressed in the instructions given in 1819 to the pioneer missionaries: "You are to aim at nothing short of covering these islands with fruitful fields and pleasant dwellings and schools and churches."

To us, here assembled, who largely represent the lineal and spiritual progeny of the missionary fathers, has descended the goodly heritage of homes and occupations in this now civilized and beautiful land, with its precious opportunities of culture and growth in all good things. The true children and heirs of those venerated fathers are by no means only those lineal descendants who follow them in character and purpose. All you are such children who make those men your fathers by adopting their grand aims, and applying yourselves to fulfil the work which they began.

What was the predominant end held in view by those missionary fathers? I used to attend when a boy, with deepest interest, the daily sessions of their annual meetings, which were held in yonder old school house beyond the stone church. I know what thought predominated in the daily prayers and speech of my father and his missionary brothers, and which seemed to fill them with a constant enthusiasm. I should define that thought as the supreme desire to have the Kingdom of God established in the hearts and lives of the people of Hawaii, as well as of the whole world. It was the thought of the first petition of our Master's great prayer, "Thy Kingdom Come."

Our fathers came here to set up the kingdom of God in Hawaii. It was a kingdom of healing and blessing which would redeem and save those who came under its obedience and to a glorious life of glory, and for social health, liberty and prosperity in the present life. The glorious Martyr-King of this divine kingdom, buying lost sinners with His blood, would lift them with Himself to heaven and be would also lift them out of slavery to tyrant chiefs and to serfers, and make them opulent freemen on earth. This millennial vision of earthly as well as heavenly redemption, was much in the thought of the men who planted the kingdom of God in Hawaii. It has already been largely realized, if we compare the present social condition of Honolulu with that of seventy-five years ago. Our Lord and King has richly blessed the work done in His name, and has not failed in his promises.

Approaching the gate of the twentieth century, and entering the fourth quarter century of Christianity in Hawaii, we find ourselves in the midst of a time of social and political transition, and of what clearly promises to be an immense commercial expansion. We find grown up to our hands an efficient organization of evangelistic and educational work which makes rapid growth and is of the greatest promise. Upon the religious and moral foundations of this Christian society so prosperously laid by the missionary fathers, continues to rise a noble superstructure. Through His Christian people in Hawaii of many nationalities, God has been grandly forwarding His work, and is still urging it on. We of to-day's generation have succeeded to the glorious inheritance of this prosperous and pushing business of the kingdom of God in Hawaii. To our hands, Christian brothers and sisters, are entrusted the forwarding of this business, and the building up here in greater strength and beauty of God's kingdom of righteousness and salvation. This is our lofty heritage, not of repose or luxurious indolence. To us is vouchsafed the gift of an illustrious career of successful warfare upon Satan's realm of baseness, darkness and foul crime. To us has descended the exalted behest of establishing in the center of the Pacific the reign of righteousness, light and heavenward growth. This heritage, this career, this exaltation belongs to every one in Hawaii who now enlisting for Christ's kingdom and work, thus he

comes an heir and successor of the missionary fathers. That was a grand investment which God began to make in the Hawaiian Islands seventy-five years ago, and in whose success He will not fail nor be discouraged. Of how great and far-reaching it was, those fathers through whom He began the work, could have little prevision. They could not discern the future now opening to our sight. They did not anticipate the growth of two great English nations on the opposing North American and Australasian coasts, to be closely connected by steamship and cable lines centering at Honolulu. They did not foresee how Hawaii would be brought into intimacy with the bright and versatile people of Japan suddenly reaching after the gifts of Christ, and with the strong and giant nation of China rudely awakened from torpidity to feel after what Christianity can bestow of knowledge and power. These fathers did not anticipate how soon after they were gone three-fifths of our population would consist of new immigrants ignorant of Christ, or hearing of him only in a dim way, and that the noble duty of enlightening those strangers would be laid upon the churches which they were founding.

God alone knows the end from the beginning. We begin to see the unfolding of some of His plans. We seem to see that He so wonderfully built up this Hawaiian Christianity in this mid-ocean group, in order that it might become a grand center of Christian hospitality and cheer to the many thousands of wayfarers of all races who will annually call at our ports. It seems plainly to have been for the sake of the future thus opening before us that God planted betimes His kingdom in Hawaii, protected it and built it up into so much of "ore and beauty. For one thing at least it was, namely, that the fast growing commerce of the Pacific, so soon to attain enormous proportions, should find God's righteous and pure kingdom strongly represented at its great coaling and cable center, which should not be all given up to the evil things of Satan. God seems to have willed that the seamen, the traders, the tourists, the sojourners whom that mighty commerce shall bring to these islands, shall find here no wretched Satan's den of lotteries, drunkenness and lust, but a sweet community of Christian homes and schools and churches—a haven where they shall meet light and healing, not darkness and misaim; spiritual cheer and succor, not the poison and foulness of Satan.

Still another divine purpose unfolding, seems to be that Hawaiian Christianity, by its activity and fruitfulness, should act as an effective object lesson to the Japanese and the Chinese who sojourn here, teaching them what wholesome fruits Christianity produces in social order, public justice, and rectitude of character. It is here that the people of Japan and China first encounter Christian institutions as they go eastward. And certainly in no other part of Christendom do they meet a more hospitable and friendly reception, nor are they likely anywhere else to gain more favorable impressions of Christianity. And here in the midst of a friendly and active Christianity are their minds found to be peculiarly receptive to the knowledge of Him who enlightens, uplifts and saves men with a heavenly salvation.

In like manner do our Portuguese brethren of European blood from the Atlantic islands find here Protestant Christianity in attractive form. We are most favorably placed for these people coming out of the ignorance and tyranny under which Romanism has kept them, to appreciate the light and liberty and wealth which attends Protestant Christianity. The Gospel work for these three prominent nationalities among us has been divinely placed in our hands. It forms a most essential part of the work of making this a strongly Christian nation, as it needs to be in this central point of the Pacific. It is further important for its reactive power towards the Christian enlightenment of Portugal, China and Japan. This great work is laid upon us as a chief part of our home mission work. It has been nobly pushed forward. It is constantly growing more heavy and urgent in its demands, by reason of its success and prosperity. Many devoted Christian men and women are giving their strength to the Gospel and educational work conducted for these three nationalities. Much money has been expended, and as the work grows yet larger sums are called for. But it is not doubted that your gifts will continue to meet those demands. There was never a divine call for personal and financial help more clear and strong than that which of late years has come to our Christian people to impart the Gospel in all its light and power to these three nationalities. It is a joy to testify that this call has not been in vain. But our funds are much behind demands, and the work keeps growing. Read our secretary's and treasurer's reports which will soon be published. You must answer the call still more generously and devotedly. Our brother Damon keeps enlarging and extending the various branches of work for the Chinese under his care, and their fruits are abundant, but more money is sorely needed. Our brothers Gulick and Okabe find multiplying openings for reaching the Japanese with the word of Christ, and more workers from Japan must be sent for and supported. The hearts of the planter employers have been much opened to help in this work. Again here in Honolulu our brother Soares finds his schools and his Portuguese congregation so increasing that his place has become altogether too strait for him. He is in urgent need of a new and spacious church. Much money and much personal labor is pressingly asked of us, brethren. But what a glorious thing this is, to know that our Lord and Master hath great need of us—to know that He has appointed us of these churches of Hawaii, and especially of this chief and central church, to be the administrators and conductors of the noble investment of Christian civilization which God has for seventy-five years been so wonderfully preparing in this country. Half a century hence, shall not our children and successors look back upon us as having been worthy successors of the Missionary Fathers, in that we so zealously and manfully wrought to build upon the foundations which they laid? Let our sons then say of us that we also were faithful and unselfish workers for the kingdom of God in Hawaii, and spared neither strength nor money nor prayers to make that kingdom beautiful and strong.

May the blessed Lord of the kingdom endow all His people here most richly with His holy spirit, and fill them with great joy in His work of making this lovely land a salvation and a praise.

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